

REMARKS

Applicants have amended claims 1-3, 6, 9-11, 16, 17, 18, 19, 20, 21, 23, 25, 30, and 38, and have cancelled claims 4-8, 11-12, and 13-28, during the prosecution of this patent application. Applicants are not conceding in this patent application that the subject matter encompassed by said amended and cancelled claims are not patentable over the art cited by the Examiner, since the claim amendments and cancellations are only for facilitating expeditious prosecution of this patent application. Applicants respectfully reserve the right to pursue the subject matter encompassed by said amended and cancelled claims, and to pursue other claims, in one or more continuations and/or divisional patent applications.

The Examiner objected to claims 30 and 38.

The Examiner rejected claims 1-3, 34-37 and 45 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi).

The Examiner rejected claims 9, 10, 38 and 39 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Bergeron et al. (U.S. Patent 4,922,514) (hereafter Bergeron).

The Examiner rejected claims 29 and 40 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Northcutt et al. (U.S. Patent Publication No. 2003/0126001) (hereafter Northcutt).

The Examiner rejected claims 30 and 41 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Northcutt et al. (U.S. Patent Publication No. 2003/0126001) (hereafter Northcutt).

The Examiner rejected claims 31, 32, 33, 42, 43 and 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Smith et al. (U.S. Patent 7,013,469 B2).

Applicants respectfully traverse the claim objections and the § 103 rejections with the following arguments.

Claim Objections

The Examiner objected to claims 30 and 38.

Claim 30

The Examiner argues: "Claim 30 is objected to because of the following informalities: It is believed based on the application that claim 30 was meant to be dependant on claim 29 and not claim 21 (which is canceled). The examiner, for the purposes of this application, has examined claim 30 as being dependant on claim 29."

In response, Applicants have amended claim 30 to depend from claim 29.

Accordingly, Applicants respectfully request that the objection to claim 30 be withdrawn.

Claim 38

The Examiner argues: "Claim 38 is objected to because of the following informalities: It is believed based on the application that claim 38 was meant to be dependant on claim 35 and not claim 1 (which is a different statutory class). The examiner, for the purposes of this application, examined claim 38 as being dependant on claim 35."

In response, Applicants have amended claim 38 to depend from claim 35.

Accordingly, Applicants respectfully request that the objection to claim 38 be withdrawn.

35 U.S.C. § 103(a): Claims 1-3, 34-37 and 45

The Examiner rejected claims 1-3, 34-37 and 45 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi).

Applicants respectfully contend that claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi, because Kinser in view of Toyouchi does not teach or suggest each and every feature of claims 1 and 35.

A first example of why claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi is that Kinser in view of Toyouchi does not teach or suggest the feature:

“in response to said receiving the service inquiry, said processor formulating and sending a service request status message to a plurality of service ticketing systems, said service request status message requesting service tickets specifying the services assigned to the technician;

after said sending the service request status message, said processor receiving the service tickets from the service ticketing systems, each service ticket specifying a different service of the services assigned to the technician;

said processor merging the received service tickets into a response list of tickets”

The Examiner argues: “Kinser teaches ...

in response to said receiving the service inquiry, said processor formulating and sending a service request status message to a plurality of service ticketing systems (see; col. 55, lines (46-61) of Kinser teaches batch processing (i.e. formulating) and submitting the open service requests to a system for dispatch to multiple systems.

said service request status message requesting service tickets specifying the services assigned to the technician from the service manager (see; col. 55, lines (58-61) of Kinser teaches assigning trouble tickets assigned to specific technicians).

after said sending the service request status message, said processor receiving the service tickets from the service ticketing systems, each service ticket specifying a different service of the services assigned to the technician (see; col. 55, line (56-61) of Kinser teaches the garages receiving the service tickets for the specific technicians and the details of the work).”

In response, Applicants note that the Examiner did not state which entities in Kinser allegedly represents various entities in the preceding features of claims 1 and 35, which potentially delays prosecution of the present patent application, because Applicants can do no more than guess as to what the Examiner’s assumed representations are.

Applicants assume (from the Examiner’s arguments in light of Kinser, col. 55, lines 46-61) that the following representations prevail:

- (I) the WFA/DO in Kinser represents the claimed processor;
- (ii) the Service Analysis (SA), which performs a “process”, namely a batch process, comprises the claimed ticketing systems; and
- (iii) technicians receiving the area detail for their specific trouble group represent the claimed technician.

The preceding representations are consistent with the the processor (i.e., the WFA/DO) receiving the service tickets from the ticketing systems of the SA.

However, noting that the claimed “service inquiry” is a request for a list of services assigned to the technician for being performed by the technician, Kinser, col. 55, lines 46-61

does not disclose the the processor (i.e., the WFA/DO) requests the service tickets from the service ticketing systems of the SA in response to the service inquiry as claimed. Kinser, col. 55, lines 46-61 discloses only the the process performed by the SA simply sends the service tickets to the WFA/DO and *does not disclose that the WFA/DO is even aware of the service inquiry before receiving the service tickets from the service ticketing systems of the SA*. In summary, Kinser does not disclose that the WFA/DO requests the service tickets and Kinser does not disclose that the request for the service tickets (allegedly by the WFA/DO) is in response to a service inquiry request for a list of services assigned to the technician. Therefore, Kinser does not disclose the preceding feature of claims 1 and 35.

In addition, Applicants respectfully contend that “the technician” in the preceding claimed feature has antecedent basis in “a technician” in the step of “a computer processor receiving a service inquiry from a browser to which *a technician* is interfaced at a computer comprising the browser”. Therefore, “the technician” in the preceding claimed feature cannot be a technician to whom the trouble tickets are assigned as alleged by the Examiner, but rather is the technician from whom the service inquiry is received before the service tickets are even generated. Therefore, Kinser does not disclose the preceding feature of claims 1 and 35.

In further response, Applicants note that the Examiner refers to multiple technicians which violates what is being claimed. All language in claims 1 and 35 pertains to one and only one technician. Therefore, Kinser does not disclose the preceding feature of claims 1 and 35.

A second example of why claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi is that Kinser in view of Toyouchi does not teach or suggest the feature: “said processor merging the received service tickets into a response list of tickets”

The Examiner argues: “Kinser teaches ... said processor merging the received service tickets into a response list of tickets (see; col. 55, lines (56-61) of Kinser teaches the list of services for the technicians are compiles on dispatch reports (i.e. list of tickets)).”

In response, Applicants note that the preceding argument by the Examiner is referring to Kinser, col. 55, lines 58-61 which recites: “This process also sends the technician's dispatch report, provided by the Post-MLT SA process listing all the area detail for their specific trouble group, to the local garage printer.”

However, “This *process*” in the preceding quote from Kinser, col. 55, lines 58-61 is the batch process performed by the SA as indicated in Kinser, col. 55, line 47. Thus, the step of sending the the technician's dispatch report is not performed by the “processor” (i.e., the WFA/DO) as claimed but rather is performed by the SA. Therefore, Kinser does not disclose the preceding feature of claims 1 and 35.

A third example of why claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi is that Kinser in view of Toyouchi does not teach or suggest the feature: “said processor sorting the tickets in the response list by sort parameters to generate multiple sorted ticket request lists”.

The Examiner argues: “Kinser teaches ... said processor sorting the tickets in the response list by sort parameters to generate multiple sorted ticket request lists (see; col. 28, lines (16-18),

col. 50, line (65) - col. 51, line (14), col. 55, lines (57-61) of Kinser teaches the capability of sorting service based on the priority of the service request and creating multiple tickets to different technicians based on what is needed to be completed and when and all this will show up on the dispatch report (i.e. list)."

In response, Applicants note that, of the citations to Kinser in the preceding argument by the Examiner, the only citation to Kinser mentioning sorting is in Kinser, col. 28, lines 16-18 which recites: "access and print entries, sorted by wire center and start date, for a set of wire centers defined by the Maintenance Center user list".

However, the preceding feature of claims 1 and 35 recites "sorting the tickets in the response list by sort parameters to generate multiple sorted ticket request lists" which the preceding quote from Kinser, col. 28, lines 16-18 does not disclose. The preceding quote from Kinser, col. 28, lines 16-18 merely discloses sorting access and print entries, which is not specific to ticket request lists and is not a disclosure of generating multiple sorted lists.

Therefore, Kinser does not disclose the preceding feature of claims 1 and 35.

A fourth example of why claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi is that Kinser in view of Toyouchi does not teach or suggest the feature: "said processor storing the multiple sorted ticket request lists in a cache memory at the gateway manager for subsequent display to the technician of a sorted ticket request list of the multiple sorted ticket request lists, wherein the multiple sorted ticket request lists are concurrently stored in the cache memory".

The Examiner argues: “Kinser teaches ... displaying said processor storing the multiple sorted ticket request lists in a cache memory at the gateway manager for subsequent display to the technician of a sorted ticket request list of the multiple sorted ticket request lists, wherein the multiple sorted ticket request lists are concurrently stored in the cache memory (see; col. 43, lines (60-64), col. 47, lines (28-37), col. 55, lines (52-61), and col. 57, lines (19-26) of Kinser teaches a processor that stores multiple trouble tickets and the dispatch report (i.e. request lists) in memory that can be viewed in a display and additionally uses a gateway to distribute the trouble tickets to the technicians).”

In response, Applicants note that Kinser, col. 43, lines 60-64 recites: “FIG. 24 is a block diagram of a proactive service management process. In FIG. 24, Caseworker 308 is used for coordinating trouble reports received from MLT 314 (via standard interface Gateway 348)”.

In further response, Applicants note that Kinser, col. 47, lines 28-37 recites: “ Once ALIT is completed for a given wire center (all ALIT scheduled testing must be complete if the wire center has multiple switches), SA determines if the individual server has enough memory and resources to begin another SA process. This determination must be done due to the wire center data distribution. Each server covers data for multiple, preassigned wire centers, and due to the processing requirements of SA, only a certain number of wire center SA processes (based on wire center size) can realistically run on one server at a time.”

In further response, Applicants note that Kinser, col. 55, lines 52-61 recites: “Therefore, based on priorities, different numbers of trouble ticket groups will be opened. Knowing the number of groups allowed, the process reads the priorities of all "suggested" trouble groups and creates "open" trouble tickets. This process then submits these open trouble ticket groups to

WFA/DO for dispatch... This process also sends the technician's dispatch report, provided by the Post-MLT SA process listing all the area detail for their specific trouble group, to the local garage printer. ”

In further response, Applicants note that Kinser, col. 57, lines 19-26 recites: “Service Analysis can be run by a batch process, or asynchronous processing to respond to customer calls in real-time. Caseworkers access Service Analysis on a real-time basis. If the need for an outside dispatch is established, the system will read all associated proactive trouble groups to append to the new customer call. In addition, related closed trouble tickets and defective pairs will be grouped as well to display for the technician.”

Applicants assert that none of the preceding quotes to Kinser mention anything about a sorted ticket request list and therefore do not disclose “storing *the multiple sorted ticket request lists* in a cache memory ..., wherein *the multiple sorted ticket request lists* are concurrently stored in the cache memory” (emphasis added).

Applicants assert that none of the preceding quotes to Kinser mention anything about cache memory and therefore do not disclose “storing the multiple sorted ticket request lists in *a cache memory* ..., wherein the multiple sorted ticket request lists are concurrently stored in *the cache memory*” (emphasis added).

Therefore, Kinser does not disclose the preceding feature of claims 1 and 35.

A fifth example of why claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi is that Kinser in view of Toyouchi does not teach or suggest the feature: “a computer processor receiving a service inquiry from a browser to which a technician is interfaced at a

computer comprising the browser, said computer processor being comprised by a gateway manager, said service inquiry requesting a list of services assigned to the technician for being performed by the technician”.

The Examiner argues: “Toyouchi a computer processor receiving a service inquiry from a browser to which a technician is interfaced at a computer Comprising the browser, said computer processor being comprised by a gateway manager, said service inquiry requesting a list of services assigned to the technician for being performed by the technician (see; col. 11, lines 25-45), col. 38, line (54) - col. 39, line (17), col. 42, lines (4-6, and lines (55-67) of Toyouchi teaches a computer processor being used with a browser to manage service requests in the form of a plurality of requests (i.e. services) through a gateway stored in a table (i.e. list)).

Both Kinser and Toyouchi teach the handling of service requests in the business environment, therefore it would be obvious to one of ordinary skill in the art at the time of the invention to expand the method of Kinser to include a computer processor receiving a service inquiry from a browser to which a technician is interfaced at a computer Comprising the browser, said computer processor being comprised by a gateway manager, said service inquiry requesting a list of services assigned to the technician for being performed by the technician as taught by Toyouchi, because in order to handle service requests by as many means as possible adding a browser to inquire and manage technicians will increase the method to include new ways of monitoring tasks thereby making the handling of service more robust.”

In response, Applicants assert that all appearances of “the technician” in claims 1 and 35 have antecedent basis in “a technician” recited in the preceding feature of claims 1 and 35, and therefore is required to be the same technician throughout claims 1 and 35.

On the one hand, the Examiner cites Kinser for a first type of technicians to whom the service tickets are allegedly sent and/or displayed.

On the other hand, the Examiner cites Toyouchi for a second type of technician at a browser that sends the service inquiry to the processor (i.e., to the WFA/DO in Kinser).

However, claims 1 and 35 recite that the service inquiry is sent from the browser) at which the technician is interfaced) to the WFA/DO. Then the WFA/DO is claimed to send the request for tickets to the SA, who generates the tickets and sends the generated tickets to the WFA/DO, who dispatches the tickets back to the technician. So, the Examiner's model starts with a technician at a browser who triggers the preceding complex process in which the same technician ends up receiving the ticket to do work that the technician knew about at the very beginning. This does not make sense and is not obvious. Any business that engaged in the preceding cumbersome and inefficient process would not stay in business very long.

Therefore, Kinser in view of Toyouchi does not disclose the preceding feature of claims 1 and 35.

Based on the preceding arguments, Applicants respectfully maintain that claims 1 and 35 are not unpatentable over Kinser in view of Toyouchi, and that claims 1 and 35 are in condition for allowance. Since claims 2-3 and 34 depend from claim 1, Applicants contend that claims 2-3 and 34 are likewise in condition for allowance. Since claims 36-37 and 45 depend from claim 35, Applicants contend that claims 36-37 and 45 are likewise in condition for allowance.

35 U.S.C. § 103(a): Claims 9, 10, 38 and 39

The Examiner rejected claims 9, 10, 38 and 39 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Bergeron et al. (U.S. Patent 4,922,514) (hereafter Bergeron).

Since claims 9-10 and 38-39 respectively depend from claims 1 and 35 which Applicants have argued *supra* to not be unpatentable over Kinser in view of Toyouchi under 35 U.S.C. §103(a), Applicants maintain that claims 9-10 and 38-39 are not unpatentable over Kinser in view of Toyouchi, in further view of Bergeron under 35 U.S.C. §103(a).

35 U.S.C. § 103(a): Claims 29 and 40

The Examiner rejected claims 29 and 40 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Northcutt et al. (U.S. Patent Publication No. 2003/0126001) (hereafter Northcutt).

Since claims 29 and 40 respectively depend from claims 1 and 35 which Applicants have argued *supra* to not be unpatentable over Kinser in view of Toyouchi under 35 U.S.C. §103(a), Applicants maintain that claims 29 and 40 are not unpatentable over Kinser in view of Toyouchi, in further view of Northcutt under 35 U.S.C. §103(a).

35 U.S.C. § 103(a): Claims 30 and 41

The Examiner rejected claims 30 and 41 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Northcutt et al. (U.S. Patent Publication No. 2003/0126001) (hereafter Northcutt).

Since claims 30 and 41 respectively depend from claims 1 and 35 which Applicants have argued *supra* to not be unpatentable over Kinser in view of Toyouchi under 35 U.S.C. §103(a), Applicants maintain that claims 30 and 41 are not unpatentable over Kinser in view of Toyouchi, in further view of Northcutt under 35 U.S.C. §103(a).

35 U.S.C. § 103(a): Claims 31, 32, 33, 42, 43 and 44

The Examiner rejected claims 31, 32, 33, 42, 43 and 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kinser, Jr. et al. (U.S. Patent 5,687,212) (hereafter Kinser) in view of Toyouchi et al. (U.S. Patent 6,847,988 B2) (hereafter Toyouchi), in further view of Smith et al. (U.S. Patent 7,013,469 B2).

Since claims 31-33 and 42-44 respectively depend from claims 1 and 35 which Applicants have argued *supra* to not be unpatentable over Kinser in view of Toyouchi under 35 U.S.C. §103(a), Applicants maintain that claims 31-33 and 42-44 are not unpatentable over Kinser in view of Toyouchi, in further view of Smith under 35 U.S.C. §103(a).

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invite the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457 (IBM). The Attorney's reference number for this case is END-9501.

Date: September 27, 2010

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